

REMARKS

Claims Status

Claims 1-21 are currently pending, with claims 1 and 21 being the only independent claims. The specification has been amended. Claims 1-21 have been amended. No new matter has been added. Reconsideration of the application, as herein amended, is respectfully requested.

Priority Document

The Examiner has indicated that a certified copy of the priority document is not on file with the USPTO. Applicants thank the Examiner for this notation, and will provide a copy of the certified Priority document in due course.

Overview of the Office Action

Claims 4-20 have been objected to as being in improper form. Withdrawal of this objection is in order, as explained below.

Claims 1-21 stand rejected under 35 U.S.C. §112, second paragraph, as indefinite for failure to particularly point out and claim the subject matter which applicant regards as the invention. Withdrawal of this rejection is also in order, as explained below.

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,738,458 (“*Cline*”) in view of U.S. Patent No. 6,188,887 (“*Joong*”).

Applicants have carefully considered the Examiner’s rejections and the comments provided in support thereof. For the following reasons, applicants assert that all claims now pending in the present application are patentable over the cited art.

Amendments Addressing Formalities

The Examiner objected to claims 4-20 on the ground that they are in improper multiple dependent form. In response to this objection, applicants have amended claims 4-20 to eliminate any multiple dependencies. Withdrawal of this objection is therefore deemed to be in order.

The Examiner has also indicated that the use of the word “characterized” is “inappropriate”, and that in claims 1-21 “it is uncertain to which item or step E3, E15, E17, E20, E21, E22, E23 etc. refer”. In response to these rejections, applicants have amended the claims in a manner which is self-explanatory. Withdrawal of each of these rejections is therefore also deemed to be in order.

Descriptive Summary of the Prior Art

Cline relates to methods and systems “for changing the association of a mailbox from a first domain to a second domain in a messaging system that includes mailboxes organized into domains” (see col. 3, lines 51-54).

Joong relates to “network architecture and topology for handling stored subscriber data message delivery (either forwarding or retrieval) to roaming/moving subscriber mobile stations” (see col. 2, lines 42-45).

Summary of the Subject Matter Disclosed in the Specification

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

The specification discloses a method and system for causing a first electronic messaging system to automatically migrate to a second electronic messaging system. In accordance with

the disclosed system and method, migration of a first electronic messaging system mailbox is performed transparently for a user of the system, and it is not necessary for the user to be informed of the migration. As a result, the messaging service associated with a first electronic messaging mailbox of the first electronic messaging system is not interrupted by virtue of the migration, and messages sent to the first electronic messaging mailbox are not lost and are receiveable by the user upon completion of the migration. In this manner, the inventive method and system avoids the need to perform a multitude of tedious, complex tasks by different technicians to migrate mailboxes from one electronic messaging system to another.

Patentability of the Independent Claims Under 35 U.S.C. §103(a)

The Examiner (at pgs. 4-5 of the Office Action) acknowledges that *Cline* fails to teach or suggest the step of “verifying the first and second mailboxes”, as recited in independent claim 1 and 21, and cites *Joong* for this feature. Applicants, however, contend that no combination of *Cline* and *Joong* achieves the entire subject matter of independent claim 1.

Firstly, applicants’ disclosed method and system differs substantially from the method and system of *Cline*. *Cline* relates to a method for changing the association of a mailbox from a first domain to a second domain within a single messaging system. In contrast, the claimed invention is directed to a method and system for causing a first electronic messaging system to migrate toward another independent or second electronic messaging system, i.e., migration between multiple, different, independent and separate electronic messaging service systems.

Cline (col. 9, line 55 thru col. 10, line 4) describes a conventional telephone messaging system in which a domain corresponds to a feature or an attribute which is common to a plurality of mailboxes of the messaging system, such as the numbering plan area (NPA) or area code of a conventional telephone number. The messaging system includes a plurality of such domains.

The change of a mailbox from one such domain to another as described in *Cline* is simply not comparable to the migration from a first electronic messaging service mailbox of a first electronic messaging service system towards a second electronic messaging service system, as recited in applicants' amended independent claim 1.

Cline (col. 6, lines 42-44; FIG. 1) describes "the use of a messaging service made by a subscriber who has a home telephone 10, a facsimile machine (FAX) 12, and an office telephone 14". *Cline* (col. 6, lines 42-44) explains that "the subscriber subscribes to a network messaging service that allows for messages from a telephone of a caller 16 to be routed through the public switched telephone network (PSTN) 18 to a messaging platform 20 hosting the messaging system providing the messaging services to the subscriber". *Cline* thus teaches a messaging platform 20 that forms a single messaging system. *Cline* fails to expressly teach or suggest anything with respect to migration of the messaging platform 20 of FIG. 1 toward another, separate and independent messaging platform. *Cline* merely teaches a method for changing the domain of a mailbox within this single messaging platform that is associated with the domain, i.e., *Cline* teaches, in effect, a way of changing the area code of the mailbox to another area code of the same messaging platform.

For example, *Cline* (col. 10, lines 60-63) explains that "'old domain' is used to denote the domain from which the mailbox is being changed (404), and 'new domain' is used to denote the domain to which the mailbox is being changed (770)". *Cline* (col. 10, line 63 thru col. 1, line 1) additionally explains that "a change in association of domains is carried out with respect to a plurality of mailboxes such as mailboxes having mailbox names with the same domain and with mailbox numbers within a specified range". *Cline* thus teaches the creation of a second mailbox name in order to account for the domain name change of the same mailbox. There is, however, no actual creation of a new mailbox in *Cline* as in applicants' recited method and system.

Independent claims 1 and 21 recite that the first electronic messaging service mailbox migrates from a first electronic messaging service system to a second electronic messaging service system, and that a second electronic messaging service mailbox having a second physical electronic address is created in the second electronic messaging service system. This second electronic messaging service mailbox is created because the second electronic messaging service system is unable to manage the first electronic messaging mailbox (and vice versa). In *Cline*, there is no creation of a second electronic messaging mailbox, and none is required because all mailboxes are contained within and managed by the same messaging system, i.e., the single messaging platform 20.

Furthermore, *Cline* fails to teach or suggest first and second electronic messaging service mailboxes that have both a physical electronic address and an access electronic address, as recited in independent claims 1 and 21. *Cline* (col. 8, lines 59-64) explains that “[t]he entry or mailbox name 34 of a mailbox may be a number that corresponds to a subscriber’s telephone or other number. For example, a subscriber’s mailbox may be assigned the number 404.555.1234 corresponding to the subscriber’s telephone number in the NPA-NXX-XXXX format”. *Cline* thus teaches that its mailboxes simply have a name that corresponds to the subscriber’s telephone number. It fails to teach or suggest that a mailbox have both a physical electronic address and an access electronic address, as recited in independent claims 1 and 21.

Moreover, independent claim 1 recites the step of “executing a third step in the second electronic messaging service system when prescribed conditions including arrival of the scheduled migration instant have been verified as satisfactory, during which the first access electronic address of the first electronic messaging service mailbox is formed as the electronic access address for outside users of the second electronic messaging service mailbox”. Independent claim 21 recites a corresponding limitation. *Cline* fails to teach or suggest anything

whatsoever with respect to this limitation. Indeed, the Examiner in his rejection makes no mention whatsoever concerning this third step which is positively recited in independent claim 1 and, correspondingly, in independent claim 21.

The Examiner (at pgs. 3-4 of the Office Action) further asserts that:

Cline teaches ... during a fourth step (E8), in the message routing center (FED), and for the first mailbox (BOX1) a queue is activated for any incoming message that are addressed to the first access address (AD1) so that they do not arrive in the first mailbox (BOX1) [col. 10, lines 13-24]....

Applicants disagree.

Cline fails to teach or suggest the step of activating a queue, during a fourth step, in the message routing center, and for the first electronic messaging service mailbox, for any incoming messages that are addressed to the first access electronic address so that any incoming messages do not arrive in the first electronic messaging service mailbox,” as recited in independent claim 1 and correspondingly recited in independent claim 21.

Rather, *Cline* (col. 10, lines 13-15) explains that “the messaging platform 20 communicates with other elements in communications networks so as to provide the messaging services to the subscriber”. *Cline* (col. 10, lines 17-20) additionally explains that “[w]hen a message arrives for delivery to the subscriber’s mailbox, a table of incoming trunk configuration may be accessed so as to appropriately route the message to the mailbox”. *Cline* (col. 10, lines 20-24) additionally states that “[t]he domains of the mailboxes on the platforms are used in this routing. Thus, the table of incoming trunk configuration may include information relating any particular domain to the mailboxes grouped or associated with that domain”. Column 10, lines 13-24 of *Cline* therefore simply teaches that the messaging platform 20 may have access to a table of incoming trunk configurations for properly routing messages from other communications networks to the subscriber’s mailbox. The use of such incoming trunk

configuration information in the manner disclosed in *Cline* quite clearly does not correspond to activation of a queue as recited in the fourth step of amended independent claims 1 and 21.

In addition, *Cline* (col. 16, lines 41-49) explains that “[t]he changes in actions 126 and 128 are taken to follow the change in domain effected in the incoming trunk configuration in action 120. Particularly, the changes in actions 126 and 128 are taken to have the mailbox record (particularly the fields of mailbox name and list of other numbers) reflect the domain name change so that calls to the subscriber are properly routed based on the incoming trunk configuration (as changed in action 120) to the subscriber’s mailbox including its change in domain association”. That is, the incoming trunk configuration of *Cline* does not permit temporary storage of messages addressed to the mailbox but, rather, merely allows the mailbox record to reflect the domain name change of the subscriber’s mailbox so that calls to the subscriber are properly routed within the messaging system to the subscriber’s mailbox, including its change in domain association.

As recited in applicants’ independent claims 1 and 21, the queue that is activated at the fourth step prevents messages addressed to the first electronic messaging service mailbox from arriving until the physical electronic address that is recorded for the first electronic messaging service mailbox is changed (during a fifth step) into the physical electronic address of the new, second electronic messaging mailbox. During the fifth step, the queue is deactivated and the messages held in the queue for the first electronic messaging service mailbox are transferred to the second electronic messaging service mailbox. *Cline* fails to teach or suggest this claimed feature.

As previously pointed out, a fundamental difference between applicants’ claimed method and system and the method and system of *Cline* is that applicants’ method and system allow a user to migrate from a first electronic messaging system to a second electronic messaging

system. A second electronic messaging mailbox is created in the second electronic messaging system since this second system is separate and independent from the first electronic messaging system which manages the first electronic messaging mailbox. In *Cline*, on the other hand, it is the domain (i.e., a telephone area code of a NPA) with which a mailbox is associated that is changed. *Cline* clearly teaches that the messaging system that manages the mailbox of the user is not changed and, thus, there is no migration of mailboxes from one messaging system to another.

Joong relates to a method for routing received subscriber data messages for storage and subsequent forwarding to a message center that is optimally positioned with respect to a subscriber's mobile station or associated with an initial receiving mobile switching center (see col. 2, lines 51-53). That is, *Joong* is directed to providing a way to forward a user's messages to his or her mobile device when roaming from network to network. However, there is nothing whatsoever in *Joong* with respect to a method and system for causing a first electronic messaging mailbox in a first electronic messaging system to migrate toward a newly-created second electronic messaging mailbox in a separate and different second electronic messaging system. Thus there is simply nothing in *Joong* to cure the above-discussed deficiencies in *Cline* relating, at the very least, to a method and system for causing one messaging service to migrate towards another.

Cline and *Joong*, individually or in combination, thus fail to teach or suggest the features recited in independent claims 1 and 21. In view of the foregoing, independent claims 1 and 21 are deemed to be patentable over the combination of *Cline* and *Joong*. Reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are requested, and early notice to that effect is earnestly solicited.

Dependent Claims

In view of the patentability of independent claims 1 and 21, and for at least the reasons presented above, each of dependent claims 2-20 is believed to be patentable therewith over the cited art. Each of dependent claims 2-20 additionally includes features that serve to still further distinguish the respective claimed invention over the applied art.

Conclusion

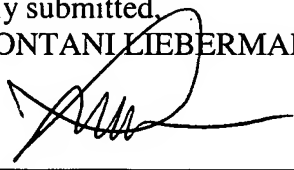
Based on all of the above, applicants submit that the present application is now in full and proper condition for allowance. Prompt and favorable action to this effect, and early passage of the application to issue, are solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned to facilitate an early resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By



Lance J. Lieberman
Reg. No. 28,437
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: February 19, 2008